

REMARKS

THE AMENDMENTS

Applicants amend claim 1. Claim amendments are to expedite prosecution of the application. Claim amendments add no new subject matter, and are fully supported throughout the specification and by the drawings and claims as filed. Support and reasoning for the amendments are provided below.

Support for Claim Amendments and Reasons for Amendments

These amendments are made to clarify the claims and to expedite allowance of the present application.

Amended claim 1 includes the phrases “wherein said coating film comprises a material and particulate particles that are heterogeneous with said material, said particles being wholly imbedded or partially imbedded within said material of said coating film.”

Support for this phrases can be found throughout the application and drawings as filed, for example, on page 6, lines 9-12: “The present invention utilizes polymerizable coating films, preferably coating films that are designed to be active and biocompatible. Particles may be imbedded within the coating film such that regions of interest are exposed on the surface” and, for example, as illustrated by Figure 2A.

CLAIMS ARE DEFINITE UNDER 35USC §112, SECOND PARAGRAPH

The Examiner has rejected claims 1-35 under 35 USC §112, Second Paragraph as allegedly being indefinite for stating “wherein said coating film comprises particulate particles that are heterogeneous with said coating film.” The Examiner alleges that the phrase appears to be reciting that the particulate particles are heterogeneous with itself because the claim recites that the coating film comprises that particles and does not mention that it comprises anything else.

Applicants respectfully disagree with the Examiner and submit that the claims are clear and definite under 35 USC §112, Second Paragraph as written. However, to expedite allowance of claims, Applicants have amended claim 1 to include the phrase “wherein said coating film comprises a material and particulate particles that are

heterogeneous with said material, said particles being wholly imbedded or partially imbedded within said material of said coating film.

CLAIMS ARE NONOBVIOUS UNDER 35USC §103(A)

Applicants' claimed invention is non-obvious over the cited references prior to the amendment of the claims. To expedite the allowance of the application, however, Applicants have amended claim 1. Applicants do so without prejudice to pursuing the original claims in another application. Applicants request that this rejection be withdrawn for the reasons set forth below

The cited references, Pourahmadi et al. and Borrelli et al. fail to render the claimed invention obvious. The amended claim 1 recites that the coating film comprises a material and particulate particles that are heterogeneous with the material, and that the particles being wholly imbedded or partially imbedded within the material of the coating film. The Pourahmadi et al. and Borrelli et al. references do not report a coating film comprises a material and particulate particles that are heterogeneous with the material, and that the particles being wholly imbedded or partially imbedded within the material of the coating film.

The cited references, Pourahmade et al. and Borrelli et al., either alone or in combination, fail to teach, suggest, or motivate, using a platform comprising a coating film comprises a material and particulate particles that are heterogeneous with the material, and that the particles being wholly imbedded or partially imbedded within the material of the coating film. Thus, the cited references, either alone or in combination, do not teach each and every element of the claimed invention.

For the foregoing reasons, Applicants submit that the amended claims cannot be obvious over the Pourahmade et al. and Borrelli et al. references under 35 USC 103(a). Accordingly, Applicants respectfully request that this rejection be withdrawn.

Applicant respectfully submit that the claims are ready for examination and in condition for allowance. Please apply any charges not covered, or any credits, to **Deposit Account Number 501321** in the name of David R. Preston & Associates, having **Customer Number 24232**.

Respectfully submitted,

Date: March 24, 2006

A handwritten signature in black ink, appearing to read 'David R. Preston', written over a horizontal line.

David R. Preston
Reg. No. 38,710

David R. Preston & Associates, A.P.C.
12625 High Bluff Dr.
Suite 205
San Diego, CA 92130
Telephone: 858.724.0375
Fascimile: 858.724.0384